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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10 **SACRAMENTO DIVISION**

11 DIRECTV, INC., a California corporation,
12 Plaintiff,
13 vs.
14 KIRK DIODATI,
15 Defendant.

Case No.: CIV-S-04-2352 DFL PAN

Hon. David F. Levi

**[PROPOSED] ORDER ON STIPULATION
FOR VOLUNTARY DISMISSAL OF
DEFENDANT KIRK DIODATI AND
REQUEST TO RETAIN JURISDICTION**

16
17 **ORDER**

18 HAVING READ AND CONSIDERED the forgoing Stipulation for Voluntary
19 Dismissal of Defendant KIRK DIODATI and Request to Retain Jurisdiction, and such other
20 pleadings, documents and records deemed appropriate by the Court, and good cause appearing
21 therefore, IT IS HEREBY ORDERED:

22 (1) Defendant KIRK DIODATI ("Defendant") is hereby dismissed from this
23 action without prejudice;

24 (2) Each of said parties to bear its/his own costs and attorneys' fees; and

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Dated: 12/2/2005

Honorable David F. Levi
United States District Court
Eastern District of California